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<p style="text-align: center;">Request For Continued Examination (RCE) Transmittal</p> <p>Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>	<i>PE</i>	Application Number	09/506,079
		Filing Date	February 16, 2000
		First Named Inventor	Clinton
		Art Unit	1642
		Examiner Name	Anne L. Holleran
		Attorney Docket Number	49321-16

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

<p>1. Submission required under 37 CFR 1.114</p>		<p>Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).</p>	
<p>a. <input type="checkbox"/> Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.</p> <p>i. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____</p> <p>ii. <input type="checkbox"/> Other _____</p>			
<p>b. <input checked="" type="checkbox"/> Enclosed</p> <p>i. <input checked="" type="checkbox"/> Amendment/Reply</p> <p>ii. <input checked="" type="checkbox"/> Affidavit(s)/Declaration(s)</p> <p>iii. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)</p> <p>iv. <input checked="" type="checkbox"/> Other <i>Sequence Listing (Appendix "D" of Amendment)</i></p>			
<p>2. Miscellaneous</p>		<p>a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)</p> <p>b. <input type="checkbox"/> Other _____</p>	
<p>3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.</p> <p>a. <input type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 04-0258</p> <p>i. <input type="checkbox"/> RCE fee required under 37 CFR 1.17(e)</p> <p>ii. <input type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17)</p> <p>iii. <input type="checkbox"/> Other _____</p>			
<p>b. <input checked="" type="checkbox"/> Checks in the amount of <u>\$860</u> are enclosed <i>(RCE fee plus Extension fee)</i></p> <p>c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)</p>			
<p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Barry L. Davison, Ph.D., J.D.	Registration No. (Attorney/Agent)	47,309
Signature			

385.00 US
09/506,079

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/type)	Kay Bulen	Date	April 21, 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Clinton et al.
Filing Date: February 16, 2000
Serial No.: 09/506,079
For: HER-2 BINDING ANTAGONISTS
Art Unit: 1642
Examiner: Anne L. Holleran
Docket: 49321-16
Date: 21 April 2004

Mail Stop AF Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE AND AMENDMENT UNDER 37 C.F.R. § 1.116, TO ACCOMPANY REQUEST
FOR CONTINUED EXAMINATION (RCE) UNDER 37 C.F.R. § 1.114**

Sir:

This is in response to an Office Action dated 21 October 2003 for the above-identified patent application. Please extend the time for response three months, up to and including, 21 April 2004. A Request for a Three-Month Extension of time and the required fee are enclosed. Kindly amend the above-identified patent application as follows: